



RECEIVED

APR 19 2001

TECH CENTER 1600/2900

A33655 064727.0105  
PATENT

1645  
#12  
4/26/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cripps, A.W. et al.

Serial No.: 09/359,426

Group No.: 1645

Filed: July 22, 1999

Examiner: Devi, S.

RESUBMISSION OF SEQUENCE LISTING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231

April 13, 2001

Date of Deposit

Michelle LeCointe

Attorney Name

*Michelle LeCointe*

Signature

46,861

PTO Registration No.

April 13, 2001

Date of Signature

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**ATTN: BOX SEQUENCE**

Dear Sir:

This paper is submitted in response to the Notice to Comply contained in the Office Communication dated March 16, 2001, which was issued in the above-identified application. The Notice indicated that no disk was received with Applicants' sequence listing submission of December 11, 2000.

NY02:319566.1

In response to the Notice to Comply and pursuant to 37 C.F.R. §1.821, Applicants today submitted via the Electronic Filing System a computer readable form of the Sequence Listing supplied in paper form on December 11, 2000. Proof of transmission in the form of the Acknowledgement Receipt is enclosed. A second copy of the paper form is also enclosed for your reference.


I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821(c) and (e), are the same.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(g), herein does not include new matter.

Applicants believe no fee is required with this timely response. Please charge any fees which may be due or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

A copy of the notice to comply is enclosed.

Respectfully submitted,

By:   
Michelle M. LeCointe  
Patent Office Reg. No. 46,861  
Agent for Applicants

BAKER BOTTS, L.L.P.  
30 Rockefeller Plaza  
New York, NY 10112  
(212) 408-2631



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/359,426	07/22/99	Cripps et al.	064727.0105

EXAMINER	
S. Devi, Ph.D	
ART UNIT	PAPER NUMBER
1645	11

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

1) This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R 1.821(a)(1) and (a)(2). A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report.

2) Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 C.F.R 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

3) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to S. Devi, Ph.D., whose telephone number is (703) 308-9347. The Examiner can normally be reached on Monday-Friday from 7:45 a.m. to 4:15 p.m. (Eastern Time).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached at (703)308-3909. The FAX phone number for group 1600 is (703)308-4242.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

S. Devi, Ph.D.  
February 2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

Dear

no-min

BIOTECHNOLOGY  
SYSTEMS  
ANCH



## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/359,426B

Filing Date: 7/22/1999

Date Processed by STIC: 1/2/2001

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

☐ (circle one) Damaged or Unreadable (for Unreadable, see attached)

☐ Blank (no files on CRF) (see attached)

☐ Empty file (filename present, but no bytes in file) (see attached)

☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.

☐ Not saved in ASCII text

☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.

☐ Did not contain a Sequence Listing. (see attached sample)

☒ Other: Disk mailer for submitted case was empty - no disk in disk mailer

**PLEASE USE THE CHECKER VERSION 3.0 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR DETAILS:**

### **Checker Version 3.0**

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

**Checker Version 3.0 can be down loaded from the USPTO website at the following address:**  
**<http://www.uspto.gov/web/offices/pac/checker>**

# Acknowledgment Receipt:

APPLICATION NUMBER: 09359426  
FIRST NAMED INVENTOR: Alan Cripps  
TITLE OF INVENTION: ANTIGEN  
ATTORNEY DOCKET NUMBER: 064727.0105

## FILE LISTING:

tran33655Seq.xml 7162 Bytes  
09359426SeqList.txt 1825 Bytes  
33655Seqbio.xml 1001 Bytes  
u-bio.dtd 3619 Bytes  
e-bioseq.xsl 6067 Bytes

EFS ID: 11244

FILE SIZE: 17255 Bytes

Timestamp: Fri Apr 13 16:30:52 EDT 2001

MESSAGE DIGEST: h700nQYlf196NtzZuqweQQ==

DIGITAL CERTIFICATE HOLDER NAME: cn=Rochelle K. Seide, ou=Registered Attorneys

UPLOAD STATUS: You have successfully uploaded your submission to USPTO